

## **§ 25-2-901 ACCESSORY APARTMENTS.**

(A) An accessory apartment is a separate dwelling unit that is contained within the principal structure of a single-family residence, and that is occupied by at least one person who is 60 years of age or older or physically disabled.

(B) If space within a principal structure is converted to an accessory apartment, the accessory apartment may not include:

- (1) converted garage space; or
- (2) a new entrance visible from a street.

(C) The building official may not issue a building permit for construction or remodeling of an accessory apartment unless the applicant delivers to the building official an affidavit verifying that one of the proposed occupants of the accessory apartment is 60 years of age or older or physically disabled.

## **§ 25-2-1463 SECONDARY APARTMENT REGULATIONS**

(A) A secondary apartment is not permitted in combination with a cottage or urban home special use.

(B) A secondary apartment must be located in a structure other than the principal structure. The apartment may be connected to the principal structure by a covered walkway.

(C) A secondary apartment:

- (1) must be contained in a structure other than the principal structure;
- (2) must be located:
  - (a) at least 15 feet to the rear of the principal structure; or
  - (b) above a detached garage;
- (3) may be connected to the principal structure by a covered walkway;
- (4) may not have an entrance within 10 feet of a lot line;

(5) unless the secondary apartment has vehicular access from a rear alley, it must be served by a paved driveway, and the portion of the driveway that crosses the front yard must be at least 9 feet and not more than 12 feet wide;

(6) may not exceed a height of 30 feet, and is limited to two stories; and

(7) may not exceed a gross floor area of:

(a) 850 total square feet; or

(b) 550 square feet on the second story, if any.

(D) Impervious cover for the site may not exceed 45 percent.

(E) Building cover for the site may not exceed 40 percent.

(F) Other than in a driveway, parking is prohibited in the front yard.

### **ARTICLE 3. COTTAGE SPECIAL USE.**

#### **§ 25-2-1441 APPLICABILITY OF ARTICLE.**

This article applies to a cottage special use.

*Source: Ord. 000406-81; Ord. 031211-11.*

#### **§ 25-2-1442 COTTAGE PERMITTED IN CERTAIN ZONING DISTRICTS.**

A cottage special use is permitted in the following zoning districts:

(1) family residence (SF-3) district;

(2) urban family residence (SF-5) district;

(3) townhouse and condominium residence site (SF-6) district;

(4) multifamily residence limited density (MF-1) district;

(5) multifamily residence low density (MF-2) district;

(6) multifamily residence medium density (MF-3) district;

(7) multifamily residence moderate-high density (MF-4) district;

- (8) multifamily residence high density (MF-5) district;
- (9) multifamily residence highest density (MF-6) district; and
- (10) mixed use (MU) combining district.

*Source: Ord. 000406-81; Ord. 031211-11; Ord. 041118-57.*

**§ 25-2-1443 DEVELOPMENT REQUIREMENTS.**

(A) A cottage special use development may not exceed two acres in size.

(B) For a cottage special use development of more than eight lots, 250 square feet of community open space is required for each lot. The community open space requirement is in addition to the parkland dedication requirement of Chapter [25-4](#), [Article 3](#), [Division 5](#) (*Parkland Dedication*).

*Source: Ord. 000406-81; Ord. 030424-57; Ord. 031211-11.*

**§ 25-2-1444 COTTAGE REGULATIONS.**

(A) For a cottage special use:

- (1) the minimum lot width is 30 feet;
- (2) the maximum height of a structure is 35 feet;
- (3) the minimum front yard setback is 15 feet;
- (4) the minimum street side yard setback is 10 feet;
- (5) the minimum interior side yard setback is 5 feet;
- (6) the minimum rear yard setback is 5 feet;
- (7) the maximum building coverage is 55 percent; and
- (8) the maximum impervious coverage is:

(a) the percentage prescribed by the base zoning district site development regulations; or

(b) for a lot with an area of not more than 4,000 square feet, 65 percent.

(B) The minimum lot area for a cottage special use is:

- (1) 2,500 square feet; or
  - (2) 3,500 square feet for a lot that is located in a SF-3 district; and
    - (a) is a corner lot; or
    - (b) adjoins a lot that is:
      - (i) zoned SF-3;
      - (ii) has a lot area of at least 5,750 square feet; and
      - (iii) is developed as a single-family residence.
- (C) For a cottage special use with a front driveway, a garage, if any, must be at least five feet behind the front facade of the principal structure.
- (D) The maximum driveway width in a front yard or street side yard is:
- (1) 12 feet; or
  - (2) if the driveway serves two or more dwelling units:
    - (a) 18 feet for a one-way driveway; or
    - (b) 24 feet for a two-way driveway.
- (E) Other than in a driveway, parking is not permitted in a front yard of a cottage special use.
- (F) The main entrance of the principal structure must face the front lot line, except on a flag lot.
- (G) A covered front porch at entry level is required for a cottage special use, except on a flag lot.
- (1) The minimum depth of the porch is five feet.
  - (2) The minimum width of the porch is 50 percent of the width of the front facade.
- (H) Two hundred square feet of private open space is required for each dwelling.

*Source: Ord. 000406-81; Ord. 030424-57; Ord. 031211-11.*